

REMARKS

Claims 1-45 are pending in the present application. By virtue of this response, claims 1-14 and 30-45 have been cancelled, claims 15 and 29 have been amended, and new claims 46-50 have been added. Accordingly, claims 15-29 and 46-50 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Claim Rejections – 35 U.S.C. § 112

Claims 30-45 are rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. The claims allegedly contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The specification allegedly does not support “a computer readable medium encoded with program code.”

Claims 30-45 have been canceled, without prejudice, so the rejection is moot.

Claim Rejections – 35 U.S.C. § 101

Claims 30-45 are rejected under 35 U.S.C. 101 as allegedly being directed to non-statutory subject matter.

Claims 30-45 have been canceled, so the rejection is moot.

Claim Rejections – 35 U.S.C. § 103

Claims 1-2, 4, 10-15, 17-18, 20, 25-31, 33-39 and 41-45 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Powers et al. (Patent No.: 6,832,086 B1), hereinafter “Powers” in view of Teague (Pub. No.: US 2003/0229717 A1) and further in view of McLampy et al. (US 7,002,973 B2), hereinafter “McLampy”.

Claims 1-2, 4, 10-14, 31, 33-39, and 41-45 have been canceled, so the rejection of those claims is moot.

Claim 15, as amended, recites a system for identifying service abuse, comprising a plurality of server computers and a cluster host, wherein the cluster host is further adapted to communicate a local screening table comprising at least a portion of the master screening table to each of the plurality of server computers, and each of the plurality of server computers is adapted to perform the method of claim 1 (now canceled) to identify service abuse, as presented by Applicants in the Response submitted on October 26, 2007.

Powers fails to disclose or suggest at least “a cluster host adapted to receive a plurality of event packets” and “a plurality of server computers,” where “each of the plurality of server computers is adapted to: increment a first count value associated with a first table entry of the plurality of table entries in the local screening table in response to the event identification matching an event identification associated with the first table entry, . . . decrement a second count value associated with the selected table entry . . . in response to the event identification failing to match an event identification associated with the selected table entry, . . . replace the selected table entry with the event identification associated with the received event in response to the second count value equaling a predetermined value; and determine a metric value for the event from the local screening table . . . indicating that the event is an abusive request,” as recited in claim 1. Support for this amendment is found, for example, at paragraphs [0037]-[0045] and Figure 4.

The addition of Teague does not cure the defects of Powers. Furthermore, the addition of McLampy to Teague and Powers does not cure the defects of Powers.

Applicant respectfully submits that claim 15 is allowable over Powers, Teague, and McLampy for at least the reasons discussed above. Claims 16-29 and 46-50, which depend from claim 15, are also believed to be allowable for at least the same reasons as claim 15.

Claims 3, 5-7, 19 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Powers in view of Teague in view of McLampy and further in view of Brothers (Pub. No.: US 2002/0083178 A1).

Claims 3 and 5-7 have been canceled, so the rejection of those claims is moot.

Claims 19 and 21-24 depend from claim 15, and are believed to be allowable for at least the same reasons as claim 15.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 324212008500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 6, 2008

Respectfully submitted,

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